

GOVERNMENT OF TELANGANA
ABSTRACT

Revenue (Endowments) Department - 'Metro Rail Project' - Hyderabad District - Acquisition of properties pertaining to Endowment Department for road widening under 'Metro Rail Project' in Corridor-II, Y.M.C.A. to Secunderabad Station - Permission to file Affidavit/Petition before the Hon'ble High Court - Filing of affidavit in Hon'ble High Court for obtaining permission - Permission - Accorded.

REVENUE (ENDOWMENTS.II) DEPARTMENT

G.O.MS.No. 49

Dated:06-05-2015.

Read:-

From the District Collector, Hyderabad, Letter No.C3/892/2013
Dt:04.04.2015.

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ORDER:

In the reference read above, the District Collector, Hyderabad has stated that following properties situated at St. Mary's Road Secunderabad were requisitioned for acquisition for the purpose of road widening under 'Metro Rail Project'.

Sl. No	Premises No.	Extent Sq. yards	T.S No/Wards No& Block	As per Col. No.10 of T.S.L.R. records	Owner as per requisition.
1.	Nil, Dharmasala	451.43	6/2, 107, :C'	Abadi	Roopkaran, Rajkaran Dharmasala.
2.	8-2-247	150.69	102/2 & 101, Ward No.106, Block "I"	Mallanna Temple	Mallanna Temple.

2. Further submitted that, after following the prescribed procedure the provisions of Land Acquisition Act such as publication of Draft Notification U/s.4(1), conducting 5A enquiry, publication of draft declaration U/s. 6 etc., the award dated:20.09.2014 was passed. As per the orders of the Hon'ble High Court dated:02.12.2014 in W.P.No.29913 of 2014, the compensation amount was re-determined in accordance with new Act, 2013.

3. At the time of award enquiry at premises No.Nil, Dharmasala admeasuring 451.43 Sq. yards it was observed that a W.P.No.7711 of 2014 was filed by Sri Roop Karan, S/o.Raja Karan, claiming himself as owner of the property before the Hon'ble High Court, challenging the 5A proceedings, raising objections that the acquisition is not made on either side and not to dispossess the petitioner pending disposal of the W.P. No orders are received so far. Further, the Manager Endowment Department has also filed claim on 10.01.2015 for payment of compensation amount. Thus the matter was treated as title dispute in between Sri Roop Karan and Endowment Department and as such the matter was referred to City Civil Court for adjudication.

4. Further, at the time of award enquiry at premises No.8-2-247 admeasuring 150.69 Sq.yards, Sri V.Parvatha Lingam in the capacity of founder Trustee of the Temple represented to drop further Land Acquisition (L.A) process. On verification of documents produced by the said founder Trustee, it was opined that the property is Endowment land and was decided to refer to City Civil Court for adjudication.

[P.T.O.,]

5. The District Collector, Hyderabad has submitted that it was presumed that these properties belonged to Endowment Department, treating as title dispute and referred the matter to City Civil Court U/s.76 & 77 of Act, 2013. Accordingly the following amounts have been deposited in the City Civil Court, Secunderabad for adjudication under intimation to the Endowment Department.

Sl. No.	Premises No.	Extent Sq. yards	Amount of Compensation	Cheque No. & Date	Cheque: in favour of
1.	Dharmasala 8-3-5 to 9, 8/1 to 84	451.43	4,90,85,076.00	926046 dt:5.3.2015	Chief Judge, City Civil Court, Secnuderabad
2.	8-2-247 (Mallanna Temple)	150.69	1,83,60,856.00	926060 dt:5.3.2015	

6. The Deputy Commissioner, Endowment Department in his Letter Dt:20.03.2015, while furnishing copies of the Hon'ble High Court's order has requested the District Collector, Hyderabad to file an affidavit in the Hon'ble High Court, seeking permission for acquisition of these properties.

7. Government, after careful examination, hereby accord permission to the District Collector, Hyderabad to file affidavit and applications in the Hon'ble High Court of Judicature at Hyderabad for State of Andhra Pradesh and Telangana for obtaining the permission from the Hon'ble High Court in relaxation of orders in W.P.MP.No.13204/2006, in W.P.No.10547/2006, Dt.30.05.2006, for acquisition of the two properties namely (1).Dharmasala admeasuring 451.43 Sq.yards and (2).Premises No.8-2-247 (Mallanna Temple) admeasuring 150.69 Sq.yards at St.Mary's Road, Secunderabad.

8. The District Collector, Hyderabad is requested to take necessary action in the matter at the earliest.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

N.SIVA SANKAR
SECRETARY TO GOVERNMENT (FAC)

To
The District Collector, Hyderabad.
The Commissioner of Endowments Department,
Telangana, Hyderabad.

Copy to:-
The Special Grade Deputy Collector &
Land Acquisition Officer, Metro Rail Project, G.H.M.C.,
Hyderabad.

The Registrar,
Hon'ble High Court of Judicature for
the State of Andhra Pradesh and Telangana.

SF/SC's.

// FORWARDED :: BY ORDER //

SECTION OFFICER